

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE: BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

Civil Case No. 2:16-cv-03411-DGC

No. MD-15-02641-PHX-DGC
MDL 2641

**AMENDED SHORT FORM
COMPLAINT FOR DAMAGES FOR
INDIVIDUAL CLAIMS**

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint in MDL No. 2641 by reference (Doc 364). Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

7. District Court and Division in which venue would be proper absent direct filing:

8. Defendants (check Defendants against whom Complaint is made):

- ☐ C.R. Bard Inc.
- ☐ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

- ☐ Diversity of Citizenship
- ☐ Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (check applicable Inferior Vena Cava Filter(s)):

- ☐ Recovery[®] Vena Cava Filter
- ☐ G2[®] Vena Cava Filter
- ☐ G2[®] Express (G2[®]X) Vena Cava Filter
- ☐ Eclipse[®] Vena Cava Filter
- ☐ Meridian[®] Vena Cava Filter

- ☐ Denali[®] Vena Cava Filter
- ☐ Other: _____

11. Date of Implantation as to each product:

12. Counts in the Master Complaint brought by Plaintiff(s):

- ☐ Count I: Strict Products Liability – Manufacturing Defect
- ☐ Count II: Strict Products Liability – Information Defect (Failure to Warn)
- ☐ Count III: Strict Products Liability – Design Defect
- ☐ Count IV: Negligence - Design
- ☐ Count V: Negligence - Manufacture
- ☐ Count VI: Negligence – Failure to Recall/Retrofit
- ☐ Count VII: Negligence – Failure to Warn
- ☐ Count VIII: Negligent Misrepresentation
- ☐ Count IX: Negligence *Pro Se*
- ☐ Count X: Breach of Express Warranty
- ☐ Count XI: Breach of Implied Warranty
- ☐ Count XII: Fraudulent Misrepresentation
- ☐ Count XIII: Fraudulent Concealment
- ☐ Count XIV: Violations of Applicable _____ (insert state) Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
- ☐ Count XV: Loss of Consortium

- ☐ Count XVI: Wrongful Death
- ☐ Count XVII: Survival
- ☐ Punitive Damages
- ☐ Other(s): _____ (please state the facts supporting this Count in the space, immediately below)

RESPECTFULLY SUBMITTED this _____ day of _____, 201____.

MURPHY LAW FIRM, LLC

/s/ Peyton P. Murphy

PEYTON P. MURPHY (LA Bar #22125)

(admitted *pro hac vice*)

2354 S. Acadian Thruway

Baton Rouge, LA 70808

Telephone: (225) 928-8800

Facsimile: (225) 246-8780

Email: Peyton@MurphyLawFirm.com

TODD C. COMEAUX (LA Bar #23453)

TODD C. COMEAUX, LLC.

4880 Bluebonnet Boulevard, Suite A

Baton Rouge, LA 70809

Telephone: (225) 706-9000

Facsimile: (225) 706-9001

Email: TC@ComeauxLawFirm.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify on this _____ day of _____, 201____, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Peyton P. Murphy

Peyton P. Murphy (LA Bar #22125)